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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,825	02/11/2004	David P. Vronay	MSFTP523US	3367
27195 7590 02/02/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER NGUYEN, LE V	
			ART UNIT 2174	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/776,825	Applicant(s) VRONAY ET AL.	
	Examiner Le Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19-24 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/1/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 936 of paragraph [0063]. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: they include the following reference character(s) not mentioned in the description: 130 of figs. 1 and 7; and, 820 of fig. 8. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 12 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 12 and 13 recite “and/or”, which makes it indefinite and should be changed to either “and” or “or” to make clear that they are alternatives. The Office will interpret “and/or” to mean: or.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 6-10, 12-17, 19-21, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Screen Dumps of Microsoft Windows XP (“MS XP”).

As per claim 1, MS XP teaches a system that facilitates access to data comprising a set component that identifies sets of data and a display component that displays at least one data set in a semi-collapsed view (fig. 3).

As per claim 2, MS XP teaches a system that facilitates access to data comprising the display component view displaying a subset of the at least one data set in an expanded view (figs. 4-5), and another subset in a collapsed view (fig. 3).

As per claim 3, MS XP teaches a system that facilitates access to data comprising information displayed in the semi-collapsed view being based, at least in part, upon inference of a user's preference (fig. 3; *inference of user's preference based upon history of user selection*).

As per claim 4, MS XP teaches a system that facilitates access to data comprising a quantity of data items displayed in the semi-collapsed view being based, at least in part, upon a user selection (fig. 3; *inference of user's preference based upon history of user selection*).

As per claim 6, MS XP teaches a system that facilitates access to data wherein the display component cycles through expanded (fig. 4), semi-collapsed (fig. 3) and collapsed views of the at least one data set (fig. 2).

As per claim 7, MS XP teaches a system that facilitates access to data comprising cycling being based, at least in part, upon user input (*figs. 2-4 based upon user input*).

As per claim 8, MS XP teaches a system that facilitates access to data comprising information displayed in the semi-collapsed view being based, at least in part, upon a user state (fig. 5; *based upon a previous user state*).

As per claim 9, MS XP teaches a system that facilitates access to data comprising information displayed in the semi-collapsed view being based, at least in part, upon a history of a user (fig. 3; *inference of user's preference based upon history of user selection*).

As per claim 10, MS XP teaches a system that facilitates access to data comprising information displayed in the semi-collapsed view being based, at least in part, upon a user's focus of attention (fig. 5; *based upon user's previous focus of attention*).

As per claim 12, MS XP teaches a system that facilitates access to data comprising the sets of data representing a logical or physical grouping of data items (fig. 5; *physical grouping of data items such as "My Documents" (stored on C Drive)*).

As per claim 13, MS XP teaches a system that facilitates access to data comprising grouping being based, at least in part, upon at least one of physical location of the data items, author of the data items, creation time or date of the data items, modification time or date of the data items, data item size, data item type, data item category and content of the data items (fig. 5; *e.g. "My Documents"*).

As per claim 14, MS XP teaches a system that facilitates access to data wherein at least some of the data items are computer files (fig. 5).

As per claim 15, MS XP teaches a system that facilitates access to data comprising a file viewer (fig. 5).

As per claim 16, MS XP teaches a system that facilitates access to data comprising an input device that facilitates navigation of the semi-collapsed view (figs. 2-5; *i.e. although not shown, highlights depicted are indicative of a mouse input device facilitating navigation of the semi-collapsed view*).

Claims 17 and 19, in combination, are similar in scope to claim 1 and are therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 1 and is therefore rejected under similar rationale.

As per claim 20, MS XP teaches a user interface comprising a first region displaying some data items of a first data set in a semi-collapsed view (fig. 3) and a second region displaying data items of a second data set in a collapsed or expanded view (figs. 2, 4 and 5).

As per claim 21, MS XP teaches a user interface comprising a control region that facilitates scrolling through the first data set of the first region (figs. 3-4; *fig. 4 is a result of scrolling through the first data set of the first region of fig. 3*).

7. As per claim 23, IE teaches a data packet transmitted between two or more computer components that facilitates access to data the data packet comprising a first field comprising information associated with at least one data set to be displayed in a semi-collapsed view (fig. 3; *transmitted data packet via the IE browser layer "http://..."*) and a second field comprising information associated with another data set to be displayed in at least one of an expanded view and a collapsed view (fig. 5; *"3 Weeks Ago" of "History", which includes a collapsed view of "Today", is displayed in an expanded view and can be displayed in a collapsed view via another click of "3 Weeks Ago"*).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Screen Dumps of Microsoft Windows XP ("MS XP") in view of Screen Dumps of Internet Explorer ("IE").

As per claim 5, although MS XP teaches a system that facilitates access to data comprising a quantity of data items displayed in the semi-collapsed view that makes use of a limited display area (fig. 3), MS XP does not explicitly disclose the semi-collapsed view being based, at least in part, upon a function of available display area. IE teaches a semi-collapsed view being based, at least in part, upon a function of available display area (figs. 3-4). It would have been obvious to an artisan at the time of the invention to incorporate the method of IE with the method of MS XP in order to organize items of large menus together without having to break them apart.

10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Screen Dumps of Microsoft Windows XP ("MS XP").

As per claim 11, although MS XP teaches a system that facilitates access to data comprising at least some of the information displayed in the semi-collapsed view (fig. 3), MS XP does not explicitly disclose the information being color-coded. Official Notice is taken that displaying color-coded information is well known in the art. It would have been obvious to an artisan at the time of the invention to incorporate displaying color-coded information with the method of MS XP to give focus or emphasis to certain

information such as having information in a menu grayed out to give emphasis that such information is not user accessible.

11. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Screen Dumps of Microsoft Windows XP ("MS XP") in view of Screen Dumps of East ("East").

As per claim 22, although MS XP teaches a user interface comprising a scrolling control region that facilitates access to the data items of the first data set (figs. 3-4; *fig. 4 is a result of scrolling through the first data set of the first region of fig. 3*), MS XP does not explicitly disclose a scroll bar or a scroll bar that facilitates access to data items. East teaches a scroll bar or a scroll bar that facilitates access to data items (figs. 3 and 4). It would have been obvious to an artisan at the time of the invention to incorporate the method of East with the method of MS XP in order to view obscured items as in the case when the menu is expanded or when the window is scaled.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

West et al. (US 2002/0149623 A1) teach state and data driven dynamic menu and toolbar architecture.

Driskell (US 6,883,143 B2) teaches a computer interface toolbar for acquiring most frequently accessed options using short cursor traverses.

Inquires

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached at (571) 272-4063.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lvn
Patent Examiner
January 30, 2007

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